

### **REMARKS/ARGUMENTS**

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-15 are pending in the present application. Claims 1 and 12 have been amended, and claim 2 has been canceled. The Examiner is respectfully requested to reconsider the rejections of claims 1-15 in view of the amendments to the claims and the remarks as set forth below.

#### **The Drawings**

The drawings have been amended by labeling Fig. 9 with the legend "Conventional Art". Accordingly, the Examiner is respectfully requested to withdraw the objection to the drawings.

#### **Claim for Priority**

It is gratefully acknowledged that the Examiner has recognized the Applicants' claim for foreign priority. In view of the fact that Applicants' claim for priority has been acknowledged, no additional action is required from the Applicants at this time.

#### **Acknowledgment of Information Disclosure Statements**

The Examiner has acknowledged the Information Disclosure Statements filed on June 18, 2001 and September 9, 2003. Initialed copies of the PTO-1449

have been received from the Examiner. No further action is necessary at this time. The Examiner has not had an opportunity to acknowledge the Information Disclosure Statement filed on June 24, 2005, and the Examiner is respectfully requested to acknowledge the June 24, 2005 Information Disclosure Statement in the next Office Action

**Objection to Claim 1**

The Examiner has objected to claim 1, because of the misspelling of the word "judgment". Accordingly, the misspelling has been corrected and the Examiner is respectfully requested to withdraw the objection.

**Rejection Under 35 U.S.C. § 102**

The Examiner has rejected claims 1-15 under the provisions of 35 U.S.C. § 102(b) as being anticipated by U. S. Patent 5,901,339 ("Saito"). The Applicants have amended claim 1 to include the features of claim 2, and they respectfully submit that the Saito patent does not anticipate amended claim 1.

Amended claim 1 is directed to a receiver comprising a receiving section for receiving a first communication signal through a first communication system, and a transmitting and receiving section requesting a transmission of a second communication signal through a second communication system. An output section refrains from normally outputting a portion of the contents. When a

predetermined matching correlation is detected, the outputting section outputs the contents.

Saito discloses a "pay-per-program" system for viewing programs broadcast over a television broadcasting system. As illustrated in Figs. 2-22, Saito discloses the broadcasting of scrambled TV programs over a first communication system (television system), and the TV programs are outputted or displayed on a receiving device such as a television. Saito also discloses a public telephone line for communicating data to the receiving device.

The Office Action (on page 3, paragraph 7) cites Fig. 6 and column 7, lines 46-57 of Saito, and it alleges that the cited portion anticipates the features of claim 2 which have been added to claim 1. The cited portion states:

"The applicant for viewing the program sends a request for viewing to the charging center by specifying broadcasting time via a public telephone line using a data communication device.

The charging center sends decode data and the program number of the requested broadcasting program to the data communication device via a public telephone line and also collects a fee for the program."

Further in column 7, lines 58-59 it is stated that:

"The data communication device sends the received decode data and the program number to the receiving device."

The Applicants respectfully submit that Saito fails to disclose that the first communication signal includes specifying transmission source information for specifying a transmission source. In other words, the television signal of Saito

does not include specifying transmission source information for specifying a transmission source in order to obtain the release information.

Saito discloses instead, at column 7, lines 49-52 that the applicant for viewing the program sends a request for viewing to the charging center by requesting a broadcasting time via the public telephone line. Accordingly, the Applicants believe that Saito does not disclose that the transmission source information can be specified by the program number.

Accordingly, it is respectfully submitted that Saito does not anticipate amended claim 1, and the Examiner is respectfully requested to withdraw the rejection based upon the provisions of 35 U.S.C. § 102(b).

### **Dependent Claims 3-11**

The Applicant believes that dependent claims 3-11 are allowable over the cited prior art for at least the same reasons as independent claim 1 from which they depend.

### **Claims 12 and 14**

Claim 12 has been amended to recite that a transmission source of said release information is supplied together with said contents. Claim 13 includes a similar limitation directed to the transmission source. For the reasons explained

above in connection with claim 1, it is respectfully that Saito does not disclose that the transmission source of the release information is supplied together with the contents. Accordingly, it is respectfully submitted that Saito does not anticipate amended claims 12 and 14.

**Dependent Claims 13 and 15**

The Applicant believes that dependent claims 13 and 15 are allowable over the cited prior art for at least the same reasons as the independent claims from which they depend.

**Conclusion**

In view of the above amendments and remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Richard J. McGrath (Reg. No. 29,195) at the telephone number of (703) 205-8000, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit

Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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**Amendments to the Drawings:**

Attached hereto are two sheets of corrected drawings for Fig. 9 that comply with the provisions of 37 C.F.R. § 1.84. The two sheets of drawings include a replacement sheet and an annotated sheet. The annotated drawing sheet indicates the changes in red ink. The changes to Fig. 9 include the label "Conventional Art" that has been added. It is respectfully requested that the amended drawing be approved and made a part of the record of the above-identified application.

CONVENTIONAL ART  Legend Added



ANNOTATED SHEET

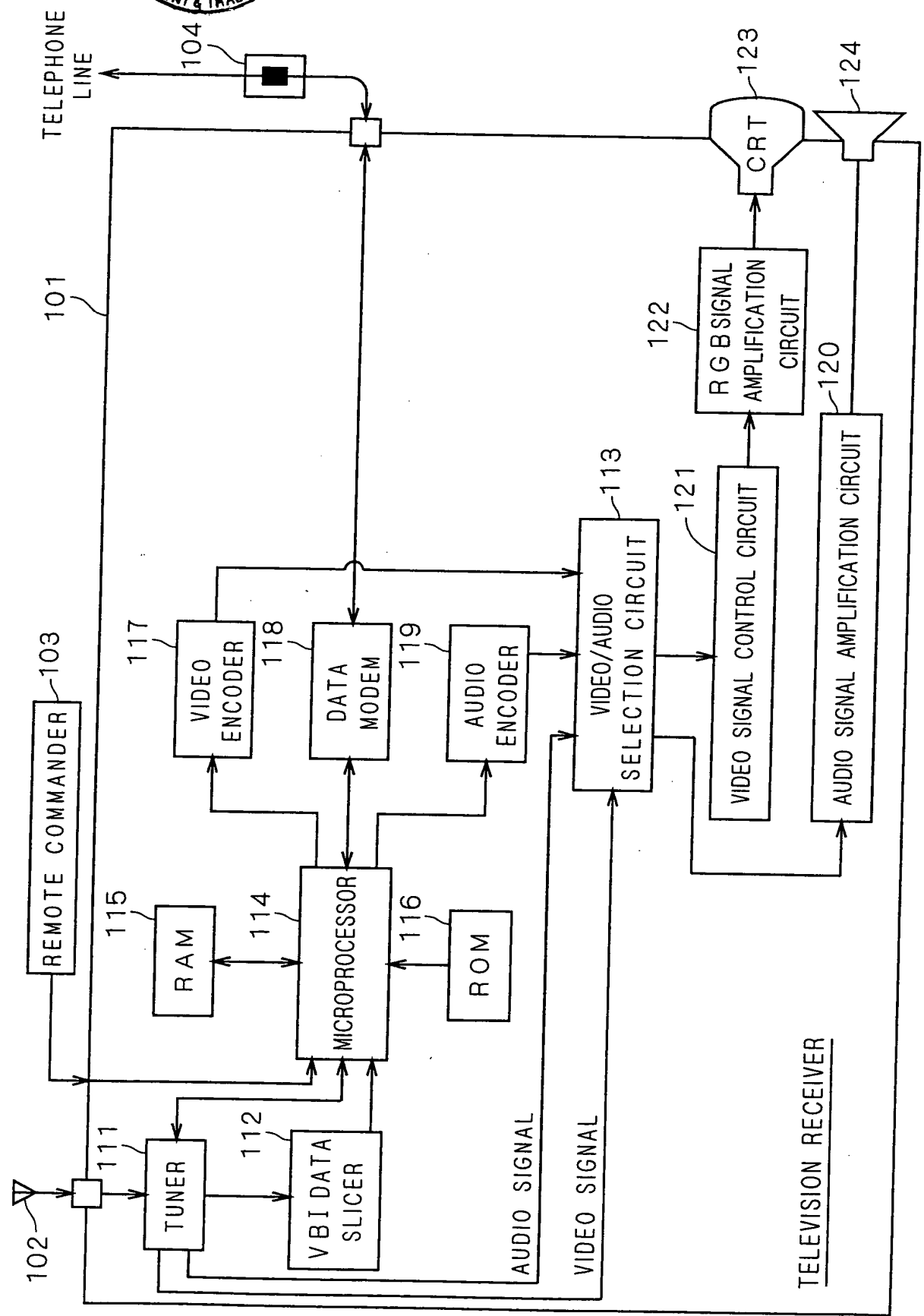


FIG. 9